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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DONAVAN McINTOSH,

Plaintiff,

vs.

CITY OF NORTH LAS VEGAS, a Municipal Corporation and political subdivision of the State of Nevada; PAMELA OJEDA in her official and/or individual capacities; CLINTON RYAN in his official and/or individual capacities; ALEJANDRO RODRIGUEZ in his official and/or individual capacities; DOES I-X,

Defendants.

Case No. 2:21-cv-01505-APG-EJY

~~PROPOSED~~ **STIPULATION AND ORDER TO EXTEND DISPOSITIVE MOTION DEADLINE AND BRIEFING SCHEDULE**

[FIRST REQUEST]

Pursuant to LR IA 6-1, LR 7-2(b), LR 26-3, and FRCP 56(b), Defendants City of North Las Vegas, Pamela Ojeda, Clinton Ryan, and Alejandro Rodriguez (“Defendants”) and Plaintiff Donavan McIntosh (“Plaintiff”), by and through their undersigned counsel, hereby stipulate to amend the operative Discovery Plan and Scheduling Order (ECF No. 27) to extend the dispositive motion deadline by one week from October 7, 2022, to October 14, 2022.

This is the parties’ first requested extension to the dispositive motion deadline. The requested extension is sought in good faith and not for purposes of undue delay. Good cause exists to extend the dispositive motion deadline. The reason for the requested extension is that Defendants prepared and intended to file a motion for summary judgment on October 7, 2022, and just learned that a declarant is unexpectedly unavailable to execute a declaration to be submitted in support of said motion. The parties stipulate to a brief one-week extension to the



dispositive motion deadline to enable the said declarant sufficient time to execute the intended declaration in support of the motion.

~~PROPOSED~~ REVISED DISCOVERY PLAN AND SCHEDULING ORDER

1. Dispositive Motions Deadline

The parties shall file any dispositive motions by no later than October 14, 2022.

Oppositions to any dispositive motions shall be filed by no later than November 30, 2022.¹

Replies in support of any dispositive motions shall be filed by no later than December 14, 2022.

2. Joint Pretrial Order Deadline

If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint Pretrial Order shall be filed 30 days after the date set for filing dispositive motions, and therefore, not later than November 14, 2022. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until 60 days after the Court enters a ruling on the dispositive motions or otherwise by further order of the Court.

STIPULATION

Accordingly, the parties stipulate, subject to approval of this Court, to the following new proposed deadlines:

Deadline	Current Deadline	Revised Deadline
Dispositive Motions	October 7, 2022	October 14, 2022
Opposition to Dispositive Motions	October 28, 2022	November 30, 2022
Replies to Dispositive Motions	November 11, 2022	December 14, 2022
Joint Pretrial Order	November 7, 2022	November 14, 2022

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¹ The parties request an extension as to this deadline due to Plaintiff's counsel's trial and hearing schedule, as well as in consideration of the Thanksgiving holiday.



1 IT IS SO STIPULATED.

2 Dated this 7th day of October 2022.

Dated this 7th day of October 2022.

3 HONE LAW

KEMP & KEMP, ATTORNEYS AT LAW

4 /s/ Jill Garcia

/s/ James P. Kemp

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9 *Attorneys for Defendants*

10 **ORDER**

11 **IT IS SO ORDERED:**

12 
13 DAYNA J. ZOUCAL
14 **UNITED STATES MAGISTRATE JUDGE**

15 Dated: October 11, 2022

